



**Examining Board of Psychology
Meeting Minutes**

November 18, 2016

Location:

Department of Health
111 Israel Road SE, Room 158
Tumwater, WA 98512

Board members present:

Shari Roberts, Public Member, Chair
Janet Look, Ed.D., Vice Chair
Florence Katz Burstein, Public Member
Leslie Cohn, Ph.D.
Elizabeth Kunchandy, Ph.D.
Brendon Scholtz, Ph.D.
Rachaud Smith, Psy.D.
Ruby Takushi, Ph.D.

Board members absent:

Lezlie Pickett, Ph.D.

Staff members present:

Kim-Boi Shadduck, Program Manager
Lisa Hodgson, Director, Office of Health Professions
Ted Dale, Program Support

AAG present:

Jack Bucknell, Assistant Attorney General

Others Present:

Dr. Lucy Homans, WSPA

On November 18, 2016, the Examining Board of Psychology (board) met at the Department of Health (department), 111 Israel Road S.E., Room 158, Tumwater, WA, 98512. Notice of the meeting was published on the psychology profession website and a notice was sent to the psychology Listserv.

Open session

1. Call to order – 9:08 a.m.

Ms. Shari Roberts called the meeting to order at 9:08 a.m.

1.1 Approval of agenda

The agenda was approved and accepted as written.

1.15 Nomination and Approval of Chair/Vice Chair

A motion was made to nominate Shari Roberts as the chair. Vote 8-0

A motion was made to nominate Janet Look as vice chair. Vote 8-0

1.2 Introductions - Introductions were made.

1.3 Approval of the September 23, 2016 meeting minutes

Board members reviewed and approved the September 23, 2016 meeting minutes as presented.

2. Chiropractic Quality Assurance Commission – Robert Nicoloff, Executive Director

Mr. Nicoloff presented on the Chiropractic Quality Assurance Commission's experiences working with Ethics and Boundaries Assessment Services for discipline.

- The CQAC has had a good experience with EBAS.
 - Content model based on real-life situations
 - Covers key areas in ethics and boundaries
 - Review and graded by seven professionals
 - Very thorough candidate prep information
- Considers this program complimentary with supervision. Passing indicates individuals know the boundaries; supervision ensures meeting the requirements.
- When charges are on the fringe of sexual misconduct and for billing errors that are not quite fraud, it is complimentary with supervision requirements.

3. Public Comment – Dr. Lucy Homans raised the issue of telemedicine. Billing practices are already in law. The program reported it anticipates several legislative bills addressing the practice. Concerns relate to regulating unprofessional conduct and limitations of law between the states.

4. Management Reports

4.0 Management Report – Lisa Hodgson reported that an offer has been extended to a new Executive Director and was informally accepted. Anticipated December 1, 2016, start date.

4.1 Office of Customer Service-Credentialing Update – Joanne Miller from the Credentialing Unit shared the following for psychologist licenses.

Current Credential Totals	November 2016
Psychologist:	
Active licenses	2,749
Pending	202
Psychologist Temporary permits:	
Active permits	35
Pending	3
Total active credential holders:	2,784
Total applications pending:	204

4.2 Operating Budget Report – Ms. Shadduck reviewed the operating budget report. The current budget is healthy, positive balance of \$1,314,866.

4.3 Program Update – “Meet me” calls for 2017 – The “meet me” calls reach out to all boards and commissions to highlight legislation that affects all boards and commissions. The calls are moving from Tuesdays to Wednesdays, 8:30 to 9 a.m. Dr. Rachaud Smith will continue to be the psychology representative.

5. FARB Conference – Florence Katz Burstein, Public Member

Ms. Florence Katz Burstein attended, although it seemed more designed for lawyers.

- A real effort is under way to increase electronic outreach. Making requested materials available online would mean less staff work to respond. Enhanced electronic security would limit access to unauthorized individuals.
- It will take time to get everything and everyone online, so it would be necessary to continue to maintain paper records.
- E-signature discussion; Washington is already using.
- Anti-trust/restriction of trade issues. North Carolina teeth-whitening case was referenced. Will have a presentation at a future board meeting.
- Don’t let criminal investigations drive regulatory investigations. Review past criminal actions (recent vs. long ago) and relevance to the license.

6. Telepsychology (SSB 5175 Telemedicine)

- Providers should take telepsychology CE if planning to use as a resource.
- Providers may not be aware of the number of pitfalls; they need to be proactive, not reactive. Partial-time users could be less informed.
- Residence of patient determines regulatory authority.
- An opinion of the board would help licensees who are waiting for guidance from the board before they act. WSPA representative would prefer to see “rules not guidelines,” and thinks people want more specific information.
- AAG will provide a memo to pair with the guidelines regarding telepsychology and will prepare a draft memo on this subject before the next meeting.

7. Public Hearing – Suicide Intervention Training Standards

- Reading overview and guidelines
- Brief description of the rule

- Open for testimony. No one to testify. No written comments.
- Motion to adopt. Voted 8-0
- Hearing closed at 11:04 a.m. on November 18, 2016

8. Sub-Committee Work

- **Licensee Orientation Sub-Committee** – Dr. Cohn asked to be removed and Dr. Look asked to be added.
 - Would like to create an online video to discuss orientation/ethics process.
- **Application Review Sub-Committee** – No updates.
- **Communication Sub-Committee** – Newsletter will be emailed for comments.
- **Telehealth Subcommittee** – Terminated as a success.

8.5. Discussion on Redaction of Applications/Cases received by the board.

Members expressed concerns that information was overly redacted, making it difficult to figure out what was going on. Why they are not allowed to see the information? They can recuse themselves if there is a conflict. Explanation is that it is set up for the appearance of fairness to the individuals – nobody on the board knows who it is. What about information non-specific to the individuals, such as the facility they work in? It can be unnecessarily confusing; sometimes seven or eight different people are redacted, which makes it really hard to follow. A presentation is set for the next board meeting.

9. FBI Criminal Background Checks/Rap Back Legislation - Catherine Woodard, Associate Director, Nursing Care Quality Assurance Commission

The intent is to increase background checks of in-state applicants to match more rigorous out-of-state applications. FBI Rap Back would put signatures on file with FBI, giving a quick-time report of future criminal actions. It also would be used to match unsolved crimes in FBI database. NQAC just voted against it. Another option would be a background check with fingerprints, but not Rap Back. It would give only a “snapshot in time” of criminal activity, not linked for future reporting. It would have to be re-done every couple renewal cycles. She believes we are not doing enough now and could be considered a “safe harbor” state. Legislation is going to be presented this year.

The board was asked if it would support the legislation going forward, with or without Rap Back. It would still require fingerprints and take 10 years to catch up with current licensees.

Support with Rap Back: Vote 8-0 to oppose.

The board does not believe enough “problem people” exist to justify the extra inspection. The board noted that the speaker mentioned arrests and convictions, although rules allow just for convictions. AAG stated that there is precedent for action on arrests without conviction.

Support without Rap Back: Vote 8-0 Neutral. Unanimous.

The board did not support nor oppose the increased background checks without the Rap Back component

10. Subcommittee Reports

10.1 Examination Subcommittee – waiting for 50 people each to take the A and the B tests. Contractor will provide results. A proposal to end the subcommittee received a motion, second and passes.

10.2 Communication Subcommittee – Psychology newsletter will be emailed out for final review to subcommittee members for approval, with a goal to publish in December.

12. Request for List and Labels – Shari Roberts, Chair

Request from Lake Washington Technical Institute – chemical dependency courses training for psychologists. Voted 8-0 approved.

13. Request for Board Examinations/Waivers – Shari Roberts, Chair

- First request – Applicant is requesting a 90-day extension to complete CE requirements because of having a baby. Vote 8-0; Approved.
- Second request – Request to re-take the exam, received more information and has a better plan. Vote 8-0; Approved.
- Third request – Request to sit for the EPPP a third time. The candidate replaced low-level rehearsal strategies with high level ones, and developed a six-week prep plan with routine study times, practice quizzes, faculty meetings and practice exams. Vote 8-0; Approved.
- Fourth request – Indefinite waiver for CE. Psychologist was going to retire but wanted to keep full licensure status Vote 8-0; Denied. The request did not have sufficient information on the need.

14. Future Agenda Items

- Complaint intake manager and compliance officer to discuss redaction of cases, supervision sanction standards, etc.
- Anti-trust presentation (North Carolina teeth whitening case.)
- Mock complaint review.
- Recusal discussion – when, why and how.
- New executive director, new board member, new administrative staff (it is hoped), new legal staff representative.
- Add the AAG report back into the agenda for the next few meetings.

15. Adjournment

1:30 p.m.

Submitted by:

Approved by:

Signature on File

Kim-Boi Shadduck, MBA, Program Manager
Examining Board of Psychology

Signature on File

Shari Roberts, Chair, Public Member
Examining Board of Psychology